

Senate to make that even clearer. The bill now states that “[i]f there is no other basis for removal, only that proceeding may be removed to the district court.” This makes very clear that the Federal court must consider the discovery request served on the Federal official as a separate proceeding from the underlying State court case.

This bill continues to have strong bipartisan support, and I would like to thank Chairman CONYERS, Ranking Member SMITH, and the Ranking Member of the Courts Subcommittee, HOWARD COBLE of North Carolina, for their work on this bill. I would also like to thank Courts Subcommittee counsel Liz Stein for all her tremendous work on this bill over several months.

I urge my colleagues to support this important legislation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### HONORING THE 50TH ANNIVERSARY OF THE FREEDOM RIDES

Mr. JOHNSON of Georgia. Madam Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of House Resolution 1779 and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The text of the resolution is as follows:

##### H. RES. 1779

Whereas, on May 4, 1961, a Greyhound bus left Washington, DC with black and white passengers and traveled South to challenge discriminatory racial segregation laws;

Whereas, while the travels of these passengers were initially called a Journey of Reconciliation, their efforts would come to be known as the Freedom Rides;

Whereas these Southern-bound passengers, known as the Freedom Riders, were united by their commitment to end segregation and ongoing racial discrimination;

Whereas the Freedom Riders traveled into states where Jim Crow laws were still prevalent, thus challenging the Federal Government to enforce its decision to overturn them by non-violently integrating the bus routes and rest stops;

Whereas, on their journeys during the Summer of 1961, the Freedom Riders would stop at locations in Virginia, North Carolina, Tennessee, South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, and Louisiana;

Whereas, at many times during the Freedom Rides, the Riders encountered antagonism, verbal abuse, acts of violence, and incarceration, yet never gave up their commitment to equality and social justice;

Whereas, led by James Farmer and the Congress of Racial Equality, the Freedom Riders were successful in part due to their role-playing preparation and practice in non-violence and Gandhian principles;

Whereas the Freedom Riders' non-violent actions would help expose to the Nation and the world the cruelty and injustice of Jim Crow laws; and

Whereas the Freedom Rides would spur the Kennedy Administration to enforce laws and

judicial rulings that guaranteed the rights and safety of all passengers, regardless of race, gender, or religious background, to sit wherever they desired on bus routes and at rest stops: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) honors the 50th anniversary of the Freedom Rides; and

(2) recognizes the extraordinary leadership and sacrifice of the Freedom Riders in their commitment to ending racial segregation in America.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. JOHNSON of Georgia. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to include their statements into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

#### REAL ESTATE JOBS AND INVESTMENT ACT OF 2010

Mr. McDERMOTT. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5901) to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investment in United States real property interests, and for other purposes, with the Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

##### SECTION 1. AUTHORITY OF TAX COURT TO APPOINT EMPLOYEES.

(a) *IN GENERAL*.—Subsection (a) of section 7471 of the Internal Revenue Code of 1986 (relating to employees) is amended to read as follows:

“(a) *APPOINTMENT AND COMPENSATION*.—

“(1) *CLERK*.—The Tax Court may appoint a clerk without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. The clerk shall serve at the pleasure of the Tax Court.

“(2) *JUDGE-APPOINTED EMPLOYEES*.—

“(A) *IN GENERAL*.—The judges and special trial judges of the Tax Court may appoint employees, in such numbers as the Tax Court may approve, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. Any such employee shall serve at the pleasure of the appointing judge.

“(B) *EXEMPTION FROM FEDERAL LEAVE PROVISIONS*.—A law clerk appointed under this subsection shall be exempt from the provisions of subchapter I of chapter 63 of title 5, United States Code. Any unused sick leave or annual leave standing to the law clerk's credit as of the effective date of this subsection shall remain credited to the law clerk and shall be available to the law clerk upon separation from the Federal Government.

“(3) *OTHER EMPLOYEES*.—The Tax Court may appoint necessary employees without regard to the provisions of title 5, United States Code,

governing appointments in the competitive service. Such employees shall be subject to removal by the Tax Court.

“(4) *PAY*.—The Tax Court may fix and adjust the compensation for the clerk and other employees of the Tax Court without regard to the provisions of chapter 51, subchapter III of chapter 53, or section 5373 of title 5, United States Code. To the maximum extent feasible, the Tax Court shall compensate employees at rates consistent with those for employees holding comparable positions in courts established under Article III of the Constitution of the United States.

“(5) *PROGRAMS*.—The Tax Court may establish programs for employee evaluations, incentive awards, flexible work schedules, premium pay, and resolution of employee grievances.

“(6) *DISCRIMINATION PROHIBITED*.—The Tax Court shall—

“(A) prohibit discrimination on the basis of race, color, religion, age, sex, national origin, political affiliation, marital status, or handicapping condition; and

“(B) promulgate procedures for resolving complaints of discrimination by employees and applicants for employment.

“(7) *EXPERTS AND CONSULTANTS*.—The Tax Court may procure the services of experts and consultants under section 3109 of title 5, United States Code.

“(8) *RIGHTS TO CERTAIN APPEALS RESERVED*.—Notwithstanding any other provision of law, an individual who is an employee of the Tax Court on the day before the effective date of this subsection and who, as of that day, was entitled to—

“(A) appeal a reduction in grade or removal to the Merit Systems Protection Board under chapter 43 of title 5, United States Code,

“(B) appeal an adverse action to the Merit Systems Protection Board under chapter 75 of title 5, United States Code,

“(C) appeal a prohibited personnel practice described under section 2302(b) of title 5, United States Code, to the Merit Systems Protection Board under chapter 77 of that title,

“(D) make an allegation of a prohibited personnel practice described under section 2302(b) of title 5, United States Code, with the Office of Special Counsel under chapter 12 of that title for action in accordance with that chapter, or

“(E) file an appeal with the Equal Employment Opportunity Commission under part 1614 of title 29 of the Code of Federal Regulations, shall continue to be entitled to file such appeal or make such an allegation so long as the individual remains an employee of the Tax Court.

“(9) *COMPETITIVE STATUS*.—Notwithstanding any other provision of law, any employee of the Tax Court who has completed at least 1 year of continuous service under a non-temporary appointment with the Tax Court acquires a competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications.

“(10) *MERIT SYSTEM PRINCIPLES, PROHIBITED PERSONNEL PRACTICES, AND PREFERENCE ELIGIBLES*.—Any personnel management system of the Tax Court shall—

“(A) include the principles set forth in section 2301(b) of title 5, United States Code;

“(B) prohibit personnel practices prohibited under section 2302(b) of title 5, United States Code; and

“(C) in the case of any individual who would be a preference eligible in the executive branch, provide preference for that individual in a manner and to an extent consistent with preference accorded to preference eligibles in the executive branch.”.

(b) *EFFECTIVE DATE*.—The amendments made by this section shall take effect on the date the United States Tax Court adopts a personnel management system after the date of the enactment of this Act.

Amend the title so as to read: “An Act to amend the Internal Revenue Code of 1986 to